

**Planning Commission Meeting
March 15, 2017**

1. Chairman Plummer **called the meeting to order** at 6:01 PM.

2. **ROLL CALL:** Commissioners present: Daniel Cross
Michele Hutchinson
Bill Lyons
Kelye McKinney
Michael Roberts
Kristian Watford
Brian Plummer
Staff members present: Matt Wheeler, Director of Community Development
Jim Bermudez, Development Services Division Manager
Steve Prosser, Senior Planner
Robert Poetsch, Associate Planner
Leslie Walker, Assistant City Attorney

3. **PLEDGE OF ALLEGIANCE** – led by Robert Poetsch

4. **CITIZENS ADDRESSING THE COMMISSION ON MATTERS NOT ON THE AGENDA**

Chairman Plummer asked if there were any citizens wishing to address the Commission regarding matters not on the agenda. There were none.

5. **CONSENT AGENDA**

5A. Motion: (Offered by Commissioner Lyons, seconded by McKinney) to approve the consent agenda item 5A Minutes of the meeting on February 15, 2017 with the corrections noted by Chair Plummer.

Vote: (7/0: Lyons, McKinney, Cross, Hutchinson, Roberts, Watford, Plummer) and the motion was adopted.
AYES: COMMISSIONER: Lyons, McKinney, Cross, Hutchinson, Roberts, Watford, Plummer
NOES: COMMISSIONER:
ABSTAINED: COMMISSIONER:
ABSENT: COMMISSIONER:

6. **PUBLIC MEETING**

A. AMENDMENT TO THE LAEHR ESTATES UNITS THREE AND FOUR GENERAL DEVELOPMENT PLAN, APPROVING A TENTATIVE SUBDIVISION MAP, AND APPROVING A SPECIFIC DEVELOPMENT PLAN AND DEVELOPMENT PERMIT, FOR THE DEVELOPMENT OF 32 CONDOMINIUMS ON 2.4 ACRES AT THE NORTHEAST CORNER OF JOINER PARKWAY AND THIRD STREET ON PROPERTY ZONED RESIDENTIAL DEVELOPMENT – 18 UNITS TO THE ACRE.

Rob Poetsch, Associate Planner presented item 6A. Mr. Poetsch offered opening remarks, background information and general updates on the project. Mr. Poetsch explained that the Magnolia Village Project consists of the development of 32 condominiums (in eight separate buildings) on three lots with one remainder lot for the private drive. Mr. Poetsch explained that landscaping is proposed along Joiner Parkway and Third Street which includes a decorative 7-foot masonry block sound wall. Mr. Poetsch noted that from the northern property line, the closest setback is 12.2 feet. Mr. Poetsch stated that the Design Review Board reviewed the project at its regularly scheduled meeting on February 22, 2017. Mr. Poetsch stated that the Board noted that the applicant did *“a great job on modulating the colors, materials, and surfaces along with integrating and breaking up the architecture”*, and that *“this is as good of a project as I’ve seen while serving on the DRB”*. Mr. Poetsch concluded by stating that the City received an application to amend the Laehr Estates Units Three and Four General Development Plan, a Tentative Subdivision Map, and Specific Development Plan and Development Permit, for the development of 32 condominiums on 2.4 acres known as Magnolia Village. Mr. Poetsch further

explained that along with the proposed amendment to the setbacks, the Magnolia Village project complies with the City's General Plan, Zoning Ordinance, Subdivision Ordinance, and with the Laehr Estates GDP/Development Standards. Mr. Poetsch concluded by stating that the staff and the Design Review Board evaluated the application and recommend that the Planning Commission recommend approval to the City Council subject to standard and project specific conditions of approval.

Following the presentation by Mr. Poetsch, Chairman Plummer asked the Commission if they had any questions. A discussion ensued between the Commission and City Staff. Mr. Poetsch heard Commission members' comments, answered questions and provided clarification.

Chairman Plummer then opened the public comment period at 6:08 p.m.

James Hite, Lincoln Resident stated that one of his concerns is that there is going to be more foot traffic going through the field and also more traffic in general around the area. Mr. Hite stated that there is already a tremendous amount of traffic and they are going to see an uptick of traffic. Mr. Hite suggested that the City extend the center median to the point that people on Laird Drive can't get out onto Third Street. Mr. Hite said he is concerned about the amount of traffic on Third Street and is also concerned that people are going to be parking on Third Street causing Laird Drive to be impacted by cars.

Following the comments by Mr. Hite, Chairman Plummer asked if there were any other members of the public wishing to comment. There were none. The public comment period was closed at 6:13 p.m.

Following the public comment period Chairman Plummer asked the Commission if they had any questions. A further discussion ensued between the Commission and City Staff. At the request of Commissioner Watford, Chairman Plummer reopened the public comment period at 6:25 p.m. to allow Mr. Hite to respond to the discussion.

Mr. Hite, Lincoln Resident stated that he supports the project he just does not want to deal with the ramifications of the parking and additional traffic on his street.

Following the comments by Mr. Hite, Chairman Plummer closed the public comment period at 6:26 p.m.

Following the public comment period, Chairman Plummer asked if there was a motion to approve the first of the three resolutions.

Resolution 2017-09- A RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL AMEND THE GENERAL DEVELOPMENT PLAN/DEVELOPMENT STANDARDS FOR THE LAEHR ESTATES UNITS THREE AND FOUR.

Motion: (Offered by Commissioner Roberts, seconded by Commissioner Cross) to amend the general development plan/development standards for the Laehr Estates units three and four.

Vote: (7/0: Roberts, Cross, Hutchinson, Lyons, McKinney, Watford, Plummer)

AYES: Commissioner: Roberts, Cross, Hutchinson, Lyons, McKinney, Watford, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner:

ABSENT: Commissioner:

Resolution 2017-10 – A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL APPROVE THE MAGNOLIA VILLAGE TENTATIVE SUBDIVISION MAP TO DIVIDE 2.4 ACRES AND A CONDOMINIUM PLAN FOR UP TO 32 CONDOMINIUM UNITS.

Motion: (Offered by Commissioner Hutchinson, seconded by Commissioner Watford) to approve the Magnolia Village tentative subdivision map to divide 2.4 acres and a condominium plan for up to 32 condominium units.

Vote: (7/0: Hutchinson, Watford, Cross, Lyons, McKinney, Roberts, Plummer)

AYES: Commissioner: Hutchinson, Watford, Cross, Lyons, McKinney, Roberts, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner:

ABSENT: Commissioner:

Resolution 2017-11 – A RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING APPROVAL BY THE CITY COUNCIL OF THE SPECIFIC DEVELOPMENT PLAN AND DEVELOPMENT PERMIT FOR THE MAGNOLIA VILLAGE PROJECT (ASSESSOR'S PARCEL NUMBER 021-321-046)

Motion: (Offered by Commissioner Cross, seconded by Commissioner McKinney) to approve the Specific Development Plan and Development Permit for the Magnolia Village Project.

Vote: (7/0: Cross, McKinney, Hutchinson, Lyons, Roberts, Watford, Plummer)

AYES: Commissioner: Cross, McKinney, Hutchinson, Lyons, Roberts, Watford, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner:

ABSENT: Commissioner:

B. HEARING REGARDING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF LINCOLN AND WESTPARK LR, LLC RELATIVE TO THE DEVELOPMENT KNOWN AS THE WESTERN PLACER EDUCATION FOUNDATION RESIDENTIAL DEVELOPMENT LOCATED IN THE TWELVE BRIDGES SPECIFIC PLAN AREA.

Jim Bermudez, Development Services Manager presented item 6B. Mr. Bermudez offered opening remarks, background information and general updates on the project. Mr. Bermudez explained that in June 2003, the City Council approved Resolution 2003-133 for a Specific Development Plan and Development Permit for the Western Placer Education Foundation, which created seventy-one residential lots and three open space lots. Mr. Bermudez noted that the vesting tentative subdivision map was concurrently approved with Resolution 2003-134. Mr. Bermudez stated that the last two-year extension of time exhausts the City's ability to further extend the life of the tentative map. Mr. Bermudez explained that in response to the Great Recession, the Governor's office signed several Subdivision Map Act extensions with the intent to extend the life of all tentative maps dating back to 2008 by recognizing that, despite the rebounding housing market in many cities, many approved maps in California were set to expire and could not be processed because of adverse economic conditions. Mr. Bermudez further explained that with the impending expiration of the tentative map, staff is not aware of new legislation that would extend the time duration of previously approved maps. Mr. Bermudez stated that Westpark is seeking a Development Agreement term of ten years. Mr. Bermudez concluded by stating that there are some developer obligations and City obligations that will be required with the approval.

Following the presentation by Mr. Bermudez, Chairman Plummer asked the Commission if they had any questions. A discussion ensued between the Commission and City Staff. Mr. Bermudez heard Commission members' comments, answered questions and provided clarification.

Mr. Wheeler, Community Development Director asked to approach the Commission and provided some additional information that was not highlighted in the staff report. Mr. Wheeler wanted to bring to the Commissions attention that the City has inserted a clause Section 3.3 Wastewater Treatment Capacity that states prior to recordation of each small lot final map for the Project; the Developer hereby agrees to prepay the wastewater connection fee for each unit included on said small lot final map to the City. Mr. Wheeler stated the City would agree to prepayment which shall entitle the Developer to receive sewer treatment capacity for each unit included on the small lot final map. Mr. Wheeler explained that the City currently is scheduling a workshop on April 4th to discuss the prepayment of sewer fees prior to

final map. Following the comments by Mr. Wheeler, Chairman Plummer asked the Commission if they had any questions. A discussion ensued between the Commission, City staff and the Applicant (or representative for the applicant).

Following the comments by Mr. Wheeler, Chairman Plummer asked the applicant if he wished to address the Commission.

Marcus LoDuca, Attorney noted that the Master developer deeded the property to Western Placer Education Foundation. Mr. LoDuca noted that the Foundation had no funding at the time and part of the property was rezoned. Mr. LoDuca stated that the proceeds will be used as seed money for the Education Foundation. Mr. LoDuca explained how access is needed to the site as well as surrounding improvements are needed. Mr. LoDuca noted that the map was extended through the City's Municipal Code and noted that the request is to extend those maps. Mr. LoDuca stated that the Foundation would like to extend the development agreement, but noted that the additional provisions that were discussed by Mr. Wheeler were not in that document. Mr. LoDuca stated that they were prepared to come before the Commission in September; however, Twelve Bridges did not want to open the amendment. Mr. LoDuca stated that this was a project that was approved in 2003 and the Finance Plan was established in 1998. Mr. LoDuca noted that the project was to support the education Foundation. Mr. LoDuca concluded by asking the Commission to approve the agreement minus the requirement of the pre-payment section.

Following the comments by Mr. LoDuca, Chairman Plummer opened the public comment period at 7:07 p.m.

There were none. The public comment period was closed at 7:08 p.m.

Following the public comment period, Chairman Plummer asked the commission if they had any questions. A further discussion ensues between the Commission and City staff.

Following the discussion, Chairman Plummer asked if there was a motion to approve the resolution.

Resolution 2017-12 – A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LINCOLN RECOMMENDING THAT THE CITY ADOPT AN ORDINANCE FOR A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF LINCOLN, A MUNICIPAL CORPORATION AND WESTPARK LR, LLC RELATIVE TO THE TWELVE BRIDGES SPECIFIC PLAN.

Motion: (Offered by Commissioner Roberts, seconded by Commissioner Lyons) to adopt an ordinance for a development agreement by and between the City of Lincoln, a municipal corporation and Westpark LR, LLC relative to the Twelve Bridges Specific Plan with the amended changes redacting the language in section 3.3 of the agreement.

Vote: (7/0: Roberts, Lyons, Cross, Hutchinson, McKinney, Watford, Plummer)

AYES: Commissioner: Roberts, Lyons, Cross, Hutchinson, McKinney, Watford, Plummer

NOES: Commissioner:

ABSTAINED: Commissioner:

ABSENT: Commissioner:

7. GENERAL BUSINESS

A. CITY OF LINCOLN GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR 2016

Jim Bermudez, Development Services Manager presented item 7A. Mr. Bermudez offered opening remarks, background information and general updates on the project. Mr. Bermudez explained that State law requires that the General Plan Annual Progress Report be completed and submitted to the State by April of each year. Mr. Bermudez stated that the 2016 Annual Progress Report only includes

notable General Plan implementation review and highlights the annual implementation progress in an efficient manner. Mr. Bermudez explained that State law requires that the City also prepare an annual progress report on the implementation of the Housing Element. Mr. Bermudez noted that the Annual Housing Element Progress Report is presented as an Appendix together with the Annual Progress Report 2050 General Plan. Mr. Bermudez concluded his presentation stating that staff was recommending that the Planning Commission recommend the City Council approve the 2016 General Plan Annual Progress Report including the Housing Element Annual Progress Report for 2016.

Following the presentation by Mr. Bermudez, Chairman Plummer asked the Commission if they had any questions. A discussion ensued between the Commission and City Staff. Mr. Bermudez heard Commission members' comments, answered questions and provided clarification.

8. OLD BUSINESS

Chairman Plummer asked if there was an old business. There was none.

9. NEW BUSINESS

Chairman Plummer asked if there was any new business. There was none.

10. COMMISSIONER COMMENTS

Chairman Plummer asked if there were any Commissioner comments.

Commissioner McKinney provided a brief recap of the Planning Commission Conference she had just attended in Los Angeles with Commissioner Cross and City Staff. Commissioner McKinney noted that there were approximately 400 to 500 attendees. Commissioner McKinney noted that there was an entire session on Ex Parte Communications and she thought the conference was very informative. Commissioner McKinney stated she would bring her notes to the next meeting and see if there was any additional information to provide.

Commissioner Cross echoed Commissioner McKinney's comments regarding the conference and noted that he had the opportunity to speak with several other Commissioners and he felt that the City does a great job in reaching out to our development community. Commissioner Cross noted that he was shocked to learn that most of the other Commissioners have little to no contact with the developers and some are not allowed to have contact. Commissioner Cross stated he felt the conference was very beneficial.

11. STAFF UPDATES

Chairman Plummer asked if there were any staff updates.

Matt Wheeler, Community Development Director asked the Commission if they would like us to amend the agenda to include a reminder to disclose ExParte communications.

Jim Bermudez, Development Services Manager provided information to the Commission regarding the upcoming APA California conference in Sacramento on September 23-26, 2016. Staff provided each Commissioner with a flier and asked if they were interested to please let staff know.

12. MEETING ADJOURNMENT

The meeting adjourned at 7:56 p.m.

SUBMITTED BY:
Angela Alloway, Secretary